

REMARKS

The present Amendment is in response to the Office Action mailed March 20, 2008. Claims 1-33 remain pending in view of the above amendments. Applicants note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. Applicants also note that the remarks presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited reference. Such remarks, or a lack of remarks, are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicants: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicants reserve the right to challenge the purported teaching and prior art status of the cited references at any appropriate time. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks.

Rejection Under 35 U.S.C. §102

The Office Action rejected claims 1-33 under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2006/0224061 (*Woo*). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because *Woo* does not teach or suggest each and every element of the rejected claims as set forth in the rejected claims, Applicants respectfully traverse this rejection in view of the following remarks.

Claim 1 is directed to a system for visualizing conductivity and current density distributions. Claim 1 recites calculating directional components of an anisotropic

conductivity inside of the measuring object on the basis of the measured magnetic flux density. As recited in claim 1, the anisotropic conductivity inside of the measuring object has directional components.

Woo, in contrast, fails to teach or suggest this aspect of claim 1, among others. In fact, Woo discloses calculating a conductivity that is assumed to be isotropic. For example, Woo discloses that “the operating part 300 applies the magnetic flux densities . . . measured by the MRI scanner 200 and voltages . . . due to the currents . . . at a surface of the measuring object S to a preset algorithm, and calculates the conductivity . . . and the current density . . . inside of the measuring object.” See ¶[0038]. However, Woo further discloses that “it is assumed that the conductivity C inside of the measuring object ‘S’ is isotropic.” See ¶[0071].

Teaching that the conductivity is assumed to be isotropic fails to teach or suggest the elements of claim 1, which recites “calculating directional components of an anisotropic conductivity.”

For at least these reasons, Applicants respectfully submit that claim 1 is patentable over the cited art. Claim 10 includes at least some generally similar limitations and is patentable for at least the same reasons.

Claim 25 is directed to a system for visualizing conductivity and current density distributions. Claim 25 recites an operating unit that divides the measured magnetic flux density into a first part not including noises and a second part including the noises, and combining the first part and the second part after removing the noises from the second part.

This aspect of claim 25, among others, is not taught or suggested by Woo. Rather, Woo suggests that the SNR denotes a signal-to-noise ratio of the magnetic flux density measured by the MRI scanner. In order to obtain a more accurate ‘s’ value, Woo discloses adjusting a weighting factor. See ¶[0079]. However, adjusting a weighting factor fails to teach or suggest “dividing the measured magnetic flux density into a first part not including noises and a second part including the noises, and combining the first part and the second part after removing the noises from the second

part” as recited in claim 25. In fact, dividing the measured magnetic flux density into parts is not disclosed or suggested in *Woo*.

For at least these reasons, Applicants respectfully submit that claims 25 is patentable over the cited art. Claim 29 includes at least some generally similar elements and is patentable for at least the same reasons that claim 25 is patentable.

Because claims 1, 10, 25, and 29 are patentable, the dependent claims rejected under § 102 are patentable for at least the same reasons.

Double Patenting

The Office Action further suggested that claims 1-33 conflict with claims 1-20 of Application Serial No. 10/541,719 (*Woo*) under 37 C.F.R. 1.78(b). Under this section, the rejection is appropriate only when the conflicting claims are identical or conceded by Applicants to be not patentably distinct. In this instance, the claims are not identical, as illustrated above, and Applicants have not conceded that the conflicting claims are not patentably distinct.

More specifically, the pending claims include elements that are not taught or suggested by *Woo*. Claims 1 and 10 each recite calculating directional components of an anisotropic conductivity, while *Woo* discloses that the conductivity is assumed to be isotropic. Further, claims 25 and 29 recite dividing the measured magnetic flux density into first and second parts, removing the noises from the second part, and then combining the first and second parts. *Woo*, in contrast, suggests adjusting a weighting factor.

For at least these reasons, Applicants respectfully submit that claims 1-33 do not conflict with claims 1-20 of *Woo* and that the rejection under 37 C.F.R. 1.78(b) should be withdrawn.

Conclusion

In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 20th day of August, 2008.

Respectfully submitted,

/Carl T. Reed/ Reg. # 45454

CARL T. REED

Registration No. 45,454

Attorney for Applicant

Customer No. 022913

Telephone No. 801.533.9800

2037008_1